

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

FIFTH THIRD BANCORP, an Ohio  
corporation, and FIFTH THIRD BANK,  
an Ohio banking corporation,

Plaintiffs,

v.

CERTAIN UNDERWRITERS AT  
LLOYD'S SUBSCRIBING TO POLICY  
NUMBERS B0509QA048710 and  
B0509QA051310, AXIS INSURANCE  
COMPANY, FEDERAL INSURANCE  
COMPANY, CONTINENTAL  
INSURANCE COMPANY, FIDELITY  
AND DEPOSIT INSURANCE COMPANY  
and ST. PAUL MERCURY INSURANCE  
COMPANY,

Defendants.

Case No. 1:14cv869  
Judge Sandra S. Beckwith  
Magistrate Judge Stephanie K. Bowman

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**DEFENDANTS CERTAIN UNDERWRITERS AT LLOYD'S SUBSCRIBING  
TO POLICY NUMBERS B0509QA048710 AND B0509QA051310,  
AXIS INSURANCE COMPANY AND FEDERAL INSURANCE COMPANY'S  
SECOND UNOPPOSED MOTION TO EXTEND THE TIME TO FILE THE REPLY IN  
SUPPORT OF THE MOTION FOR PROTECTIVE ORDER AND IN THE  
ALTERNATIVE TO STAY AND BIFURCATE PLAINTIFFS' "BAD FAITH CLAIM"**

Defendants, Certain Underwriters at Lloyd's subscribing to policy numbers B0509QA048710 and B0509QA051310 ("Lloyd's"), AXIS Insurance Company ("AXIS"), and Federal Insurance Company ("Federal") (collectively referred to as "Underwriters") move to extend the time within which to file the Reply in Support of the Motion for Protective Order and in the Alternative to Stay and Bifurcate Plaintiffs' "Bad Faith Claim" to June 21, 2016, and in support thereof, states as follows:

1. Underwriters' Reply in Support of Motion or Protective Order and in the Alternative to Stay and Bifurcate Plaintiffs' "Bad Faith Claim" is due on May 31, 2016. Underwriters ask to move the deadline to June 21, 2016.

2. Underwriters continue to prepare the Reply but have also had to focus efforts on the rigorous schedule of depositions currently in place. Since Fifth Third filed its Response in Opposition to Underwriters' Motion for Protective Order and in the Alternative to Stay and Bifurcate Plaintiffs' "Bad Faith Claim" on April 4, 2016, there have been depositions on an almost weekly basis, many of which involve witnesses which have required travel. Underwriters have been working diligently to advance discovery through depositions in this case.

3. Underwriters have spoken with Fifth Third, who does not oppose Underwriters' request for additional time up to June 21, 2016. No party will be prejudiced by the extension.

WHEREFORE, Underwriters respectfully ask the Court to extend the time within which to file Underwriters' Reply in Support of Motion for Protective Order and in the Alternative to Stay and Bifurcate Plaintiffs' "Bad Faith Claim" to June 21, 2016 and for any other relief the Court deems necessary and appropriate.

May 27, 2016

Respectfully submitted,

*s/ Jean Geoppinger McCoy*

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David P. Kamp (OH 0020665)  
Jean Geoppinger McCoy (OH 0046881)  
Brian D. Goldwasser (OH0061926)  
WHITE GETGEY & MEYER CO., L.P.A.  
1700 Fourth & Vine Tower  
One West Fourth Street  
Cincinnati, OH 45202  
[dkamp@wgmlpa.com](mailto:dkamp@wgmlpa.com)  
[jmccoy@wgmlpa.com](mailto:jmccoy@wgmlpa.com)  
[bgoldwasser@wgmlpa.com](mailto:bgoldwasser@wgmlpa.com)  
(513) 241-3685

John W. Blancett (admitted *pro hac vice*)  
Christopher Losquadro (admitted *pro hac vice*)  
Christopher Novak (admitted *pro hac vice*)  
SEDGWICK LLP  
225 Liberty Street, 28<sup>th</sup> Floor  
New York, NY 10281  
[john.blancett@sedgwicklaw.com](mailto:john.blancett@sedgwicklaw.com)  
[christopher.losquadro@sedgwicklaw.com](mailto:christopher.losquadro@sedgwicklaw.com)  
[christopher.novak@sedgwicklaw.com](mailto:christopher.novak@sedgwicklaw.com)  
(212) 422-0202

*Attorneys for Certain Underwriters at Lloyd's  
Subscribing to Policy Numbers B0509QA048710  
and B0509QA051310, AXIS Insurance Company,  
and Federal Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify and affirm that on May 27, 2016, a copy of the foregoing motion was filed electronically. Notice of this filing will be served on all parties of record by operation of the Court's electronic filing system:

<p>Mark J. Byrne Kenneth F. Seibel JACOBS, KLEINMAN, SEIBEL &amp; McNALLY Cincinnati Club Building 30 Garfield Place Cincinnati, OH 45202</p> <p><i>Trial Counsel for Defendant Fifth Third Bancorp and Plaintiff Fifth Third Bancorp and Third Bank</i></p>	<p>Charles E. Turnbull Lawrence M. Scott Marco D. Kaszubski O'REILLY RANCILIO P.C. 12900 Hall Road, Suite 350 Sterling Heights, MI 48313</p> <p><i>Co- Counsel for Defendant Fifth Third Bancorp and Plaintiff Fifth Third Bancorp and Third Bank</i></p>
<p>Robert W. Hojnoski, Esquire Carrie M. Starts, Esquire Nathan A. Lennon, Esquire REMINGER CO., LPA 525 Vine Street, Suite 1700 Cincinnati, OH 45202</p> <p><i>Attorneys for Plaintiff RLI Insurance Company</i></p>	<p>Scott L. Schmookler, Esquire Regina A. Ripley, Esquire Ji-Yeon Suh, Esquire GORDON &amp; REES, LLP One North Franklin, Suite 8800 Chicago, IL 60606</p> <p><i>Attorneys for Plaintiff RLI Insurance Company</i></p>
<p>Luke J. Busam, Esquire Bryan S. Strawbridge, Esquire Julia Blackwell Gelinias, Esquire FROST BROWN TODD LLC 3300 Great American Tower 301 E. Fourth Street Cincinnati, OH 45202</p> <p><i>Attorneys for Defendant Continental Insurance Company, Fidelity and Deposit Insurance Company, St. Paul Mercury Insurance Company</i></p>	

*s/ Jean Geoppinger McCoy*

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Jean Geoppinger McCoy